

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Milo et al.  
Appl. No.: 10/595,557  
Conf. No.: 2772  
Filed: April 27, 2006  
Title: FERMENTED COFFEE BEVERAGE  
Art Unit: Unknown  
Examiner: Unknown  
Docket No.: 112701-719

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Sir:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited on the enclosed PTO-1449 form be made during the course of examination of the above-identified application for United States patent. Pursuant to 37 C.F.R. 1.98, copies of any cited foreign patent documents and non-patent documents are enclosed.

This Information Disclosure Statement is submitted:

- ☒ [X] Within three months of filing of a national application; within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a Request for Continued Examination.
- ☐ [ ] After the period specified above, but before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application and is accompanied by one of:
  - ☐ [ ] Payment of the fee set forth in 37 CFR 1.17(p); or
  - ☐ [ ] The certification specified in 37 CFR 1.97(e) follows.
- ☐ [ ] After the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application and is accompanied by the fee set forth in 37 CFR 1.17(p) and the certification specified in 37 CFR 1.97(e) follows.

- ☐ The undersigned counsel for applicant(s) hereby certifies each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ A copy of a Search Report from a corresponding foreign patent application is enclosed.
- ☐ A check in the amount of \$180 to cover the required fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge the amount of \$180 to cover the required fee to Deposit Account No. 02-1818.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Robert M. Barrett  
Reg. No. 30,142  
Customer No. 29157

Dated: December 12, 2006

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number		10595557	
	Filing Date		2006-04-27	
	First Named Inventor		Milo et al.	
	Art Unit		Unknown	
	Examiner Name		Unknown	
	Attorney Docket Number		112701-719	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	4867992		1989-09-19	Boniello et al.	
	2	5008125		1991-04-16	Cale et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S. PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20020058092		2002-05-16	Kattenberg et al.	

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS								
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1	0791296A1	EP		1997-08-27			<input type="checkbox"/>
	2	0326740A1	EP		1989-08-09			<input type="checkbox"/>

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If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	Lee et al. article entitled "Analysis of volatile components isolated from Hawaiian green coffee beans (Coffea arabica L)" Flavour and Fragrance Journal 17 (2002), pp. 349-351	<input type="checkbox"/>
	2	Soares et al. article entitled "Fruity Flavour Production by Ceratocystis fimbriata grown on coffee husk in solid-state fermentation" Process Biochemistry 35 (1000), pp. 857-861	<input type="checkbox"/>
	3	Abstract XP-002284838 "STUDIES ON THE AROMA COMPONENTS OF ROASTED AND GROUND COFFEE" Application No. 97-1-06-h0159	<input type="checkbox"/>
	4	Abstract XP-002271958 "COFFEE TASTE IMPROVER - USING ADDITIVES BASED ON YEAST" Application No. 1989-169864	<input type="checkbox"/>
	5	Abstract XP-002271956 "FORMATION OF 4-HYDROXY-2,5-DIMETHYL-3[2H]-FURANONE BY ZYGOSACCHAROMYCES ROUXII: IDENTIFICATION OF AN INTERMEDIATE" Application No. EMB-2003291945	<input type="checkbox"/>
	6	Abstract XP-002271954 "QUANTITATIVE DESCRIPTIVE FLAVOR PROFILE OF FIVE BREWED MEXICAN COFFEES" Application No. 94-1-04-h0200	<input type="checkbox"/>
	7	Abstract XP-002271957 "FERMENTED COFFEE DRINK PREPARATION - BY MIXING LIQUID COFFEE EXTRACT AND SUGAR, INOCULATING YEAST INTO MIXTURE, AND FERMENTING" Application No. 1992-377558	<input type="checkbox"/>
	8	Abstract XP-002271955 "FRUITY FLAVOUR PRODUCTION BY CERATOCYSTIS FIMBRIATA GROWN ON COFFEE HUSK IN SOLID-STATE FERMENTATION" Application No. 2000-00-b0966	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /V.S./ (11/09/2009)

Receipt date: 12/12/2006

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**EXAMINER SIGNATURE**

Examiner Signature	/Vera Stulii/ (11/09/2009)	Date Considered	11/09/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /V.S./ (11/09/2009)

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## **CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

## **SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.16. Please see CFR 1.4(d) for the form of the signature.

Signature	/Robert M. Barrett.	Date (YYYY-MM-DD)	2006-12-12
Name/Print	Robert M. Barrett	Registration Number	30142

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.